

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RACHEL SPEARS JOHNSTON,)
Plaintiff,)
v.) NO. 3-23-cv-00930
UNITED STATES OF AMERICA, ET) JUDGE RICHARDSON
AL.,)
Defendants.)

ORDER

Pending before the Court is a Report and Recommendation (Doc. No. 15, “R&R”) of the Magistrate Judge, recommending that the Court dismiss this action without prejudice in accordance with Rule 4(m) of the Federal Rules of Civil Procedure. No objections to the R&R have been filed, and the time for filing objections has now expired.¹

The failure to object to a report and recommendation releases the Court from its duty to independently review the matter. *Frias v. Frias*, No. 2:18-cv-00076, 2019 WL 549506, at *2 (M.D. Tenn. Feb. 12, 2019); *Hart v. Bee Prop. Mgmt.*, No. 18-cv-11851, 2019 WL 1242372, at * 1 (E.D. Mich. Mar. 18, 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The district court is not required to review, under a de novo or any other standard, those aspects of the report and recommendation to which no objection is made. *Ashraf v. Adventist Health Sys./Sunbelt, Inc.*, 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018) (citing *Thomas*, 474 U.S. at 150); *Benson v. Walden Sec.*,

¹ Under Fed. R. Civ. P. 72(b), any party has fourteen (14) days from receipt of the R&R in which to file any written objections to the Recommendation with the District Court. For pro-se plaintiffs, like Plaintiff, the Court is willing to extend this 14-day deadline by three days to allow time for filings to be transported by mail. But even this extension does not help Plaintiff, because the R&R was filed on August 27, 2024, and as of January 3, 2025, Plaintiff has not filed any objections.

No. 3:18-cv-0010, 2018 WL 6322332, at *3 (M.D. Tenn. Dec. 4, 2018). The district court should adopt the magistrate judge's findings and rulings to which no specific objection is filed. *Ashraf*, 322 F. Supp at 881 (citing *Thomas*, 474 U.S. at 151).

Accordingly, the R&R is adopted and approved. The R&R concluded that Plaintiff failed to timely serve the Defendants in accordance with Rule 4(m) and that therefore the action must be dismissed pursuant to Rule 4(m). Accordingly, this action is DISMISSED without prejudice.

The Clerk is DIRECTED to enter judgment under Rule 58 and close the file.

IT IS SO ORDERED.

Eli Richardson
ELI RICHARDSON
UNITED STATES DISTRICT JUDGE